

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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RANDOLPH LEIDL, an individual; on behalf  
of himself and all others similarly situated,

Plaintiffs,

vs.

WINGSPAN PORTFOLIO ADVISORS, LLC,  
a Delaware Limited Liability Company; and  
JOHN AND JANE DOES NUMBERS 1  
THROUGH 25,

Defendants.

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CASE NO.: 2:10-cv-03597-ADS-ARL

**NOTICE OF VOLUNTARY DISMISSAL**

**TO THE HONORABLE UNITED STATES DISTRICT COURT:**

Please take notice that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), Plaintiff, RANDOLPH LEIDL, dismisses this action with prejudice as to himself, and without prejudice as to the putative class, without further costs, disbursements, attorney's fees, or expenses to or against any party.

DATED: Fresh Meadows, New York  
October 4, 2010

*s/ William F. Horn*

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WILLIAM F. HORN, ESQ. (WH-1070)

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*Attorney for Plaintiff, Randolph Leidl*

**IT IS SO ORDERED:**

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HONORABLE ARTHUR D. SPATT

Senior Judge, United States District Court